

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Arnaldo Fernández Caraballo, Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, hereinafter referred to as “ATF”, being duly sworn, depose and state as follows:

1. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States empowered by law to conduct investigations and make arrests upon violations of the offenses enumerated in Title 18, United States Code, Section 2516.
2. I am a Task Force Officer with the ATF in San Juan, Puerto Rico, and have been so for the past ten (10) years. Prior to becoming a Task Force Officer, I worked over ten (10) years as an Agent for the Puerto Rico Police Bureau (PRPB). I am currently assigned to the ATF Violent Crimes Group. As part of the Violent Crimes Group, I conduct investigations of violent gangs, firearms and narcotics violations. I have specialized training and/or experience in the area of high-level drug enforcement, street- level drug enforcement, narcotics smuggling and distribution, gangs, undercover operations, surveillance and debriefing informants and suspects.
3. All reference herein to any experience refers to experience gained through training, conducting firearms and controlled substances investigations, and participating in those investigations with other experienced investigators, as well as conversations with other law enforcement officers.

FACTS SUPPORTING PROBABLE CAUSE

4. On March 09, 2025, Agents assigned to the Puerto Rico Police Bureau Arecibo Intelligence received information from a confidential call indicating that a suspicious vehicle with four armed occupants was in the area of Sabana Hoyos in Arecibo PR. PRPB Agents stated that the caller described the vehicle as a Nissan Versa, white in color with license plate KHN708.

5. PRPB agents investigated the information provided by the confidential call. PRPB Agents stated that the investigation revealed that the Nissan Versa with license plate KHN708 had been stolen in a carjacking incident on January 22, 2025, in the town of Río Grande, PR.
6. On March 15, 2025, at approximately 12:12 a.m., PRPB agents assigned to the Arecibo Intelligence Unit received a phone call from a non-paid confidential informant reporting that the Nissan Versa with license plate KHN708 had been seen in the Sabana Hoyos area of Arecibo. PRPB Agents initiated a preventive patrol to locate the Nissan Versa.
7. According to the PRPB Agents after searching the areas near Sabana Hoyos, the officers spotted the suspected vehicle in Barrio Santana, Arecibo. PRPB Agents stated that the vehicle was traveling with its headlights off on road #662. PRPB agents stated that they followed the vehicle using unmarked police cars and requested assistance from marked patrol units.
8. PRPB Agents stated that the Nissan Versa continued on road #662 and turned on its headlights upon reaching Road #2. PRPB agents stated that the vehicle encountered a police patrol unit, which activated its emergency lights to conduct a traffic stop. Upon seeing the patrol unit, the Nissan Versa attempted to flee but crashed minutes later at the intersection of Road #2 and Road #682.
9. PRPB Agents intervened with the Nissan Versa. PRPB Agents stated that from the vehicle, a man later identified as Rafael José MACHICOTE-DAVILA exited. According to the PRPB Agents as MACHICOTE-DAVILA comes out of the Nissan Versa, he dropped a Rifle later describes as:
 - RGuns Rifle, model TRR15, serial number KMA01099, caliber .223/5.56, in black with camouflage loaded with two (2) rifle magazines and loaded with thirty-eight (38) rounds of 5.56 caliber ammunition.



10. The officers shouted verbal commands to MACHICOTE-DAVILA and were able to place him under arrest. Meanwhile, the PRPB agents observed that four additional occupants of the Nissan Versa, heavily armed, exited the vehicle and fled the scene.
11. PRPB Agents stated that a foot pursuit of these suspects ensued. PRPB Agents stated that during the pursuit, they witnessed one of the suspects throw a pistol; although the chase continued, the suspects managed to escape.
12. PRPB Agents stated that the thrown pistol was recovered and identified as a
 - Glock, model 21, caliber .45, serial number FDK020, which was loaded with one (1) bullet in the chamber. In the same area where the pistol was located, the officers found two (2) .45 caliber pistol magazines and a total of 45 rounds of .45 caliber ammunition.



13. The officers then returned to the vehicle and requested technical services unit to photograph the Nissan Versa. In the driver's area, on the floor, they recovered the following items:
 - One (1) Glock pistol, model 30, serial number SKA471, loaded with 14 rounds.
 - One (1) Nike bag containing a one (1) magazine with 12 rounds of .45 caliber ammunition; One (1) Ziploc bag containing 13 rounds of 5.56 caliber ammunition; One (1) Ziploc bag containing 49 rounds of 5.56 caliber ammunition; Two (2) balaclavas; Two (2) pairs of gloves; One (1) black plastic container with marijuana; One (1) white container with marijuana; and One (1) crack capsule.



14. MACHICOTE-DAVILA was placed under arrest and recite his rights. He was subsequently transported to the PRPB Arecibo Comandancia for further investigation.

15. According to PRPB Agents while MACHICOTE-DAVILA was under custody freely and voluntary stated to the agents that they or God just save the life of someone.

16. ATF assistance was requested in this investigation. ATF Agents arrived at the PRPB Comandancia Arecibo and assisted in the investigation.

17. ATF read Rafael Jose MACHICOTE-DAVILA his Miranda's Rights, which he understood and signed, stating he was not willing to speak with authorities without having his lawyer present at that moment the agents finish the interview.

12. A search of law enforcement databases reveals that MACHICOTE-DAVILA has previously been convicted of a crime punishable by a year or more in prison. MACHICOTE-DAVILA served a 20-year sentence at the state level for homicide.

13. The investigation further revealed that no firearms or ammunition, including the type described above, are manufactured in Puerto Rico and therefore, the investigation concluded that the aforementioned firearm had been shipped or transported in interstate or foreign commerce.

CONCLUSION

18. Based on the above facts, I have probable cause to believe that Rafael Jose MACHICOTE-DAVILA have violated federal firearm and controlled substance laws. Specifically, he has violated Title 18, United States Code, § 922(g)(1).

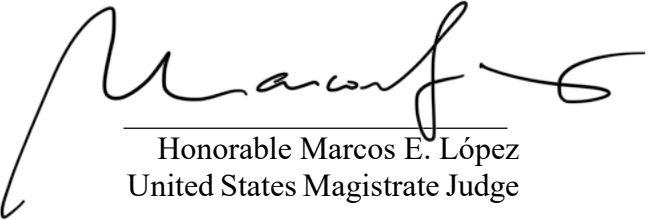
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Arnaldo Fernández Caraballo
Task Force Officer
ATF

Sworn pursuant to FRCP 4.1 at ^{3:00 PM} ^ by telephone, this ^{16th} 16 day of

March 2025.


Honorable Marcos E. López
United States Magistrate Judge